

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-2(c)

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By: Stacey L. Mullen, Esquire (SM5598)

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In Re:  
Kevin and Denise Stelmach,

Case No.: \_\_\_\_17-26909  
Judge: \_\_\_\_ABA  
Chapter: 13

**CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION  
X TO CREDITOR'S MOTION OR CERTIFICATION OF DEFAULT  
TO TRUSTEE'S MOTION OR CERTIFICATION OF DEFAULT**

The debtor in the above-captioned chapter 13 proceeding hereby objects to the following  
(choose one):

1. X Motion for Relief from the Automatic Stay filed by creditor  
Toyota. A hearing has been scheduled for  
1/22/19 at 10:00 am

OR

\_\_\_ Motion to Dismiss filed by the Standing Chapter 13 Trustee.  
A hearing has been scheduled for \_\_, at \_\_\_\_\_ am.

\_\_\_ Certification of Default filed by creditor,  
I am requesting a hearing be scheduled on this matter.

OR

\_\_\_ Certification of Default filed by Standing Chapter 13 Trustee  
I am requesting a hearing be scheduled on this matter.

I am objecting to the above for the following reasons (choose one):

- \_\_\_ Payments have been made in the amount of \$ \_\_\_\_\_, but have  
not been accounted for. Documentation in support is attached hereto.  
\_\_\_ Payments have not been made for the following reasons and debtor proposes

repayment as follows (**explain your answer**):

X Other (**explain your answer**): Debtors can make an immediate payment of \$2,600.00 and can pay January by January 31<sup>st</sup>, 2019.

3. This certification is being made in an effort to resolve the issues raised by the creditor in its motion.

4. I certify the above facts to be true. I am aware that if the above facts are willfully false, I am subject to punishment.

Date: 1/3/19

/s/ Kevin Stelmach  
Debtor's Signature

Date: 1/3/19

/s/ Denise Stelmach  
Debtor's Signature

**NOTE:** Pursuant to the Court's General Orders entered on January 4<sup>th</sup>, 2005, this form must be filed with the Court and served upon the creditor and the Standing Chapter 13 Trustee, **at least seven (7) days before the return date, pursuant to DNJ LBR 9013-1(d), Motion Practice**, if filed in opposition to a *Motion for Relief from the Automatic Stay*; and **within 10 days of the filing of a Creditor's Certification of Default under an Order Resolving Motion to Vacate Stay and/or Dismiss with Conditions**. Absent the filing of this mandatory new form, the creditor's stay relief motion will be deemed uncontested, and the creditor's appearance at the hearing will *not* be required.

1/3/05/jml